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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin H Embree

Title: METHOD AND SYSTEM TO DETECT OUTLYING BEHAVIOR IN A NETWORK-BASED  
MARKETPLACE

Docket No.: 2043.127US1  
Filed: April 12, 2004  
Examiner: Candice Carter  
Customer No.: 49845



Serial No.: 10/822,894  
Due Date: March 2, 2009  
Group Art Unit: 3629  
Confirmation No.: 3999

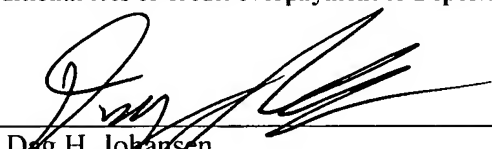
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ Amendment and Response under 1.116 (10 pg.)
- ☒ Return Postcard

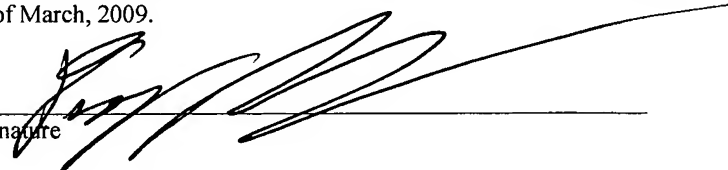
If not provided in a separate paper filed herewith, please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
Customer No.: 49845

By:   
Dag H. Johansen  
Reg. No. 36,172

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2 day of March, 2009.

Dag Johansen  
Name

  
Signature



10/822,894

PATENT

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|               |   |                   |                |
|---------------|---|-------------------|----------------|
| Applicant:    | Kevin H Embree  | Examiner:         | Candice Carter |
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AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Final Office Action mailed January 2, 2009, please amend the application as follows: